Annex A

Annang Nuertey (deceased) contract of employment

PG MANNING LTD

2 GLENUGIE CRESCENT, PETERHEAD, AB42 2GY

[redacted]

COMPANY REGISTRATION NO: SC343435

SEAMAN'S CONTRACT OF EMPLOYMENT BETWEEN THE VESSEL AND THE SEAMAN DOCUMENTED BY PG MANNING LTD.

(1) **SEAMANS NAME:** ANNANG NUERTEY

(2) **SALARY SCALE:** £1150 STERLING PER MONTH PLUS £50 BONUS

(3) **VESSEL NAME:** MFV AQUARIUS

(4) **DURATION OF CONTRACT: 15 months (+/-3 MONTHS) UPON MUTUAL CONSENT**

(5) **PASSPORT NUMBER:** [redacted]

(6) **SEAMAN'S BOOK NUMBER:** GH 05954

(7) **WE ACCEPT THAT WE WILL ABIDE BY THE CAPTAINS RULES AND SHIPOWNERS WORKING PROCEDURES ONBOARD THIS VESSEL.**

(8) **THE CREW WILL BE ON 2 MONTH PROBATION FROM DATE OF JOINING VESSEL.**

(9) **SEAMAN WILL BE FULLY INSURED FOR DURATION OF CONTRACT UNTIL THEY RETURN HOME, THROUGH THE VESSEL'S INSURANCE POLICY.**

NAME OF UK AGENT: PG MANNING LTD

I AGREE TO WORK ON THE ABOVE NAMED VESSEL FOR THE PERIOD ENTERED ABOVE AND ACCEPT ALL THE TERMS AS INDICATED, I UNDERSTAND AND AGREE THAT IF I RETURN HOME EARLY FOR ANY REASON (OTHER THAN EXCEPTIONAL CIRCUMSTANCES AGREED WITH MY SKIPPER/ VESSEL OWNER) I WILL BE REPONSIBLE FOR ALL COSTS OF FLIGHTS, TAXIS ETC VIA DEDUCTION OF MY WAGES.

SEAFARER **SIGN:** [redacted]

PRINT: ..... ANNANG NUERTEY.....

DATE: .....22/01/2015.....

AGENT ON BEHALF OF VESSEL

[redacted]

MGN 430 (F) Checks on Crew Certification and Drills

Maritime and Coastguard Agency

MARINE GUIDANCE NOTE

MGN 430 (F)

FISHING VESSELS: Checks on Crew Certification and Drills

Notice to all Owners, Operators, Managing Agents, Skippers and Crew

This Note should be read in conjunction with MGN 411 - Training and Certification Requirements for the Crew of Fishing Vessels and their applicability to Small Commercial Vessels and Large Yachts, MSN 1770, The Code of Safe Working Practices for the Construction and Use of 15m Length Overall to less than 24m Registered Length Vessels, the Fishing Vessels (EC Directive on Harmonised Safety Regime) Regulations 1999, No.2998 as amended by SI 2003/1112 and the Fishing Vessels (Safety Provisions) Rules 1975, as amended.

PLEASE NOTE:-
Where this document provides guidance on the law it should not be regarded as definitive. The way the law applies to any particular case can vary according to circumstances - for example, from vessel to vessel and you should consider seeking independent legal advice if you are unsure of your own legal position.

Summary

This Note provides guidance on the checks that MCA surveyors will make regarding crew certification and drills. Surveyors will:

- ensure that the correct Certificates of Competency are held and Safety Training courses have been undertaken by skippers and crew;
- check that written health and safety policies are in place and completed risk assessments have been carried out.
- witness emergency drills as part of the Renewal and Intermediate surveys on the vessel or at any other time as deemed necessary by the MCA.
- confirm that emergency drills (Fire, Collision/Grounding, Man Overboard, Abandon ship, Anchoring) are practiced monthly and when a new crew member joins the vessel.
- if practicable, and when there is no evidence that drills have been conducted and it is considered the crew are not trained for an emergency, ask vessels to proceed from the harbour to a safe anchorage to undertake anchoring drills. This increases the validity of the drill and provides a more challenging, realistic environment.

The Note sets out various scenarios for different types of emergency drills, which the MCA surveyors may ask to see, sets out what the crew need to demonstrate and the key issues

(Cont over.)

a surveyor will be looking at.
The Note sets out the guidance on possible requirements of skippers and crew during emergencies which can be demonstrated during drills and musters. **It should be noted that this guidance is generic and it is the owner, skipper and crew who should decide what steps are necessary and who should undertake them.**

Fishing vessels – Crew certification and emergency drills

1. Introduction

1.1. The Marine Accident Investigation Branch (MAIB) report entitled "Analysis of UK Fishing Vessel Safety 1992 to 2006" recommends that the MCA ensures that the current mandatory training requirements for fishermen are strictly applied. Other accident reports have highlighted the lack of emergency procedures and the need to carry out drills which are a statutory requirement. Owners, skippers and crew should note that it is the flag state's responsibility (i.e. the MCA for UK flagged vessels) to take such measures as it may deem necessary to ensure that crews are adequately trained in their duties in the event of emergencies.

2. Actions by Surveyors

2.1 Surveyors who undertake surveys or inspections on fishing vessels will check the following documents in particular before endorsing or renewing United Kingdom Fishing Vessel Certificates or International Fishing Vessel Certificates.

- Certificates of Competency for the Deck and Engineer Officers. Details of specific requirements are contained within the Fishing Vessels (Certification of Deck Officers and Engineer Officers) Regulations 1984 SI No. 1984/1115.

- Certificates of Equivalent Competency for Deck and Engineer Officers. Details of specific requirements are set out in the Fishing Vessels (Certification of Deck Officers and Engineer Officers) Regulations 1984 SI No. 1984/1115 and MSN 1825 (F) Certificates of Equivalent Competency: Fishing Vessels.

- Certificates confirming that fishermen not holding Certificates of Competency have attended the basic safety training courses listed in the Fishing Vessels (Safety Training) Regulations 1989 SI No. 1989/126.

2.2 Further guidance on the requirements set out in 2.1 above can be found in MGN 411.

2.3 Surveyors will also check that when the crew is greater in number than five, there is in place a written health and safety policy and that risk assessments have been completed for the various operations undertaken on board. Both these requirements are contained within SI No. 1997/2962 - Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997. Without a written policy and assessments, operators will have no evidence or defence that they have actually met their obligations.

2.4 Attending surveyors will also witness the crew undertaking suitable emergency drills. Guidance for surveyors, skippers and crew specific to fishing vessels is annexed to this notice. If practicable, and when there is no evidence that drills have been conducted and it is considered the crew are not trained for an emergency, vessels will be asked to proceed from the harbour to a safe anchorage to undertake anchoring drills. This increases the validity of the

drill and provides a more challenging, realistic environment. The attending survey will take into account the weather conditions and other safety aspects when deciding if the vessel will be asked to proceed from harbour for a drill.

2.5 In addition, attending surveyors will satisfy themselves that the emergency drills as required by either the Fishing Vessels (EC Directive on Harmonised Safety Regime) Regulations 1999 SI No. 1999/2998 as amended, the Fishing Vessel (Safety Provisions) Rules 1975 SI No. 1975/330 as amended or by MSN1770(F) have been carried out and correctly documented.

2.6 Providing that all of the above are found to be satisfactory and in accordance with the relevant legislation for vessels of 15m Length overall and above, the vessel's certificate may be renewed/endorsed. If however any of the above is found to be unsatisfactory or not proven then it will be noted on the Report of Inspection/Survey as a deficiency and the vessel's certificate will not be renewed or endorsed until drills are completed satisfactorily.

Action by Owners

2.7 In respect of fishing vessels of less than 15m Length Overall, from 1 July 2010 the MCA now issues a Small Fishing Vessel Certificate. If your vessel was inspected on or after this date you will be required to present a copy of this Certificate to the Register of Shipping and Seamen (RSS) as proof of compliance with the Small Fishing Vessel Code MSN 1813 when registering or re-registering your vessel. Vessels inspected before 1 July 2010 will need to present the Report of Inspection (MSF 1606) which would have been provided to the owner at the time.

More Information

Fishing Vessels Safety Unit
Vessel Policy Branch
Maritime and Coastguard Agency
Bay 2/30
Spring Place
105 Commercial Road
Southampton
SO15 1EG

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MCA Website Address: www.mcga.gov.uk

File Ref: MS88/1/426

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Safer Lives, Safer Ships, Cleaner Seas

An executive agency of the Department for Transport

Annex to MGN 430 - Fishing vessels – Crew certification and emergency drills

The investigations by the MAIB include incidents where crews have had to abandon ship in extremely poor weather conditions. One vessel grounded on a lee shore with engine trouble, another caught fire, and another took on a great deal of water whilst preparing to fish in heavy weather.

It is mandatory that emergency drills be carried out monthly on all United Kingdom fishing vessels over 15 metres Length Overall and a record of these drills should be entered into the vessel's log book. An entry should be made if one of these drills has been missed along with a reason why. An emergency drill should also be carried out when a new crew member joins the vessel.

The following is guidance for musters and drills witnessed during inspections and surveys.

The emergency drill could take the form of:-

- Engine Room, Accommodation or Factory Deck Fire;
- Collision/ Grounding;
- Man Overboard;
- Abandon ship; and
- Emergency Anchoring

The drill should refresh basic safety training and add an element of reality of working as part of a team onboard their own vessel. In witnessing a safe and effective drill, it is important that as many of the regular crew are present as possible.

Drills cannot replace the written risk assessment but are a vital part of the necessary control measures within that risk assessment.

It is essential that all crew members undertake drills and play their part in the safe day to day running of the vessel.

Anchor Drill

Purpose

If practicable, and taking into account the considerations in paragraph 2.4 of this MSN, the vessel will proceed from the harbour or dock to a safe anchorage position where an anchoring drill will be carried out.

The crew will demonstrate:

- that the vessel can safely deploy and recover an anchor within a reasonable time to simulate an emergency anchoring scenario; and
- the deployment of the anchor, with the crew dressed suitably including gloves and correctly donned lifejackets.

Scenario

The vessels steering gear has failed in the fairway into a busy harbour. Bring the vessel to anchor and show the correct day signal.

Key Issues

The key issues are:

- crew dressed in Personal Protective Equipment (PPE);
- anchor handling and methodology safe;
- anchor cable marked to show length of cable deployed;
- crew aware of length of cable remaining onboard;
- communication between wheelhouse and anchor party acceptable; and
- anchor deployed safely and operation acceptable.

Muster Stations Drill

Purpose

The crew will demonstrate:

- awareness of their personal muster station and that they can don a lifejacket quickly and correctly;
- that those allocated to the lifeboat or liferaft deck can prepare a liferaft for manual launching; and
- that those responsible for other duties undertake them quickly and competently.

Scenario

The vessel will simulate working conditions as if the vessel were fishing with crew asleep in cabins. The crew alarm will be activated and the crew will go to muster stations dressed appropriately to abandon ship, with warm clothing and lifejackets correctly donned.

Crew “asleep” in the cabin will exit the cabin using the emergency escapes. The “duty watch” will close all doors and vents on way to the muster station.

Key Issues

The key issues are:

- crew alarm activated and suitable;
- crew to correct muster stations;
- crew suitably dressed in warm clothing and lifejackets;
- liferafts made ready for deployment;
- duties as posted on Muster List completed; and
- stowage of lifejackets, risks understood and acceptable.

The crew will be accounted for and a report made to the skipper.

Liferafts will be “made ready” to deploy manually but will not be deployed.

Lifejacket Storage Position

Careful thought needs to go into deciding where to store the lifejackets, they need to be stored where there is airflow and where they will not get damp. Access to the lifejackets should be the main concern of the crew, they will be using emergency exits and access to inside the vessels should not be allowed. Can the crew therefore access the lifejackets easily?

Lifejacket donning instructions should relate to the lifejacket types carried on the vessel. More than one type of lifejacket means displaying more than one type of lifejacket donning instructions which need to be displayed where the lifejackets are stored and in crew areas.

Misuse of the Emergency Alarm

The emergency alarm should be distinctly different from the call system used to call the crew out on deck to haul the gear.

Fire Drill

Purpose

To demonstrate:

- knowledge of ship board equipment and vents;
- donning and use of breathing equipment;
- practical use of hoses and nozzles;
- safety considerations; and
- use of fixed fire suppression gas systems.

During this fire drill the main fire fighting hoses will be deployed and demonstrated. Once the surveyor is satisfied that the condition of the hoses and nozzles are to standard then the vessel will simulate “dead ship” and the emergency lights, fire hoses and equipment will be tested.

Scenario

Fire reported in area of high fire risk e.g. engine room, galley or spaces with electrical heaters. Prepare to fight the fire and prevent the fire from spreading to other areas of the vessel.

Key Issues

The key issues are

- knowledge of shipboard fire fighting equipment;
- all vents closed and fans stopped;
- fire mains and hoses proved;
- emergency pumps and hoses proved;
- breathing equipment and safety procedures acceptable;
- use of gas suppression systems understood and appreciated; and
- limitations of fire fighting equipment carried appreciated.

Man Overboard Drill

Purpose

To demonstrate

- that the crew can conduct an effective search of the vessel;
- the crew are able to quickly launch the rescue boat to recover a person from the water; and
- the rescue boat crew are aware of the effects of hydrostatic squeeze and how it will affect a casualty suffering from hypothermia.

Scenario

The crew will undertake a “man overboard” drill and will launch and man the rescue boat. The rescue boat will be readied and swung out to a side specified by the attending surveyor and launched into the water in a safe and controlled manner.

A member of the crew is believed to fallen overboard and has not been seen for some time. The attending surveyor will indicate when this crew man was last seen and if the crewman was seen to have fallen overboard.

Key Issues

The key issues are

- rescue boat stores to correct scale (as applicable) and serviceable;
- rescue boat launched in safe manner, crew suitably dressed;
- rescue boat and davit in serviceable condition; and
- search undertaken of vessel for missing crew member.

On completion of this drill the rescue boat will be recovered to the vessel and readied for immediate use.

Man Overboard Recovery System

There are several “man overboard” recovery systems in use on board fishing vessels at this time, Jason’s Cradle and Markus Net to name just two. These systems are permitted to replace rescue boats only when an exemption has been applied for and granted.

Crews should be well trained in the use of these systems and appreciate the limitations of the use of these recovery systems in poor weather conditions as well as fine.

Key Issues

The key issues are:

- system inspected and serviced;
- crew well trained in the use of the system carried;

- system deployed correctly;
- first aid requirements anticipated; and
- system re-stowed and readied for immediate use.

Annex 2 – Guidance on Drills for different types of emergencies

Man Overboard Guidance

The following provides guidance on the actions of the vessel's skipper and crew. These actions are generic and may vary from vessel to vessel and it is recommended that you identify the requirements particular to your vessel through practice drills.

General Requirements of All:

- **Sound Crew Alarm.**
- Crew to muster stations with warm clothing and lifejackets donned correctly.
- Was the crewman seen to have fallen overboard? Yes / No.
- If yes, throw lifebuoy with smoke / light float attached to mark position.
- If no, note time and position and consider using smoke / light float anyway to mark a datum position. This will give a visual marker to searching vessels and aircraft as an indication of the tide and surface water movement in the search area from a given time.

Skipper:

- Press MOB function on Navigational aid, if fitted and crew alarm.
- Inform ships mate with all details.
- Send DSC alert and commence voice transmission on VHF, MF or HF as appropriate.
- Inform Coastguard of any updated information and the description of missing person.
- Haul fishing gear if fishing.
- If not fishing and navigation allows commence Williamson turn.
- Pass any additional information to the Coastguard and any other vessels assisting.
- Keep all search units up to date by sending situation reports regularly.

Mate:

- Crew muster report to skipper, crewman missing? Yes / No.
- Collect details of missing crewman and pass to skipper as soon as possible, time and place last seen, clothing type and colours, age and state of health.
- Ensure crew are dressed appropriately.
- Post lookouts forward, wing of the bridge port and starboard also on a high point aft.
- Search vessel for missing crewman and prepare to launch rescue boat if

carried.

- Organise man overboard recovery system.
- Organise dry clothing and first aid equipment, prepare to treat for hypothermia.

Fire Fighting Guidance

The following provides guidance on the actions of the vessel's skipper and crew. These actions are generic and may vary from vessel to vessel and it is recommended that you identify the requirements particular to your vessel through practice drills.

General Requirements of All:

- **Sound Crew Alarm.**
- Crew to muster stations with warm clothing and lifejackets donned correctly.

Skipper:

- Account for all crew, and send DSC alert and follow with voice transmission on VHF, MF or HF.
- Consider manual launching of liferafts.
- In receipt of all available information consider fighting the fire.
- Monitor vessel stability with engineer regarding water used for fire fighting.
- Consider emergency fuel stops, before activation, consider how power loss affects the crew's fire fighting capability. Loss of main fire hoses and lighting.
- Prior to use of CO_2 gas or other fixed fire fighting medium, order compartments to be cleared and checked, all crew evacuated from effected area.
- Ensure CO_2 or other fixed fire fighting medium, firing point is evacuated in case gas leaks from bottles and valves.
- On receipt of the regular situation reports which indicate that the fire is now out of control, consider abandoning the vessel to the liferafts, (proceed to abandon ship).

Mate:

- Crew muster report to skipper.
- If liferafts deployed ensure access for boarding and safety of the raft from heat and smoke.
- Take charge of fire fighting parties.
- Close all ventilation flaps and doors to engine room, accommodation, galley and factory deck.
- Delegate crew member to don fireman's outfit and breathing gear if carried.
- If crew numbers allow delegate first aid party and a safe, warm and dry compartment for any injured crew to rest and receive treatment.
- Give regular situation reports to skipper.

Engineer:

- Stop all fans in and around affected and adjacent compartments.
- Ascertain extent and severity of the fire and report to the skipper; assist the mate where possible with fire fighting parties.
- Check water ingress into compartments from fire hoses and fire fighting appliances.
- Prime emergency fire hoses and pumps as these may be required if emergency fuel stops activated.

Taking Water or Sinking Guidance

The following provides guidance on the actions of the vessel's skipper and crew. These actions are generic and may vary from vessel to vessel and it is recommended that you identify the requirements particular to your vessel through practice drills.

General Requirements of All:

- **Sound Crew Alarm.**
- Crew to muster stations with warm clothing and lifejackets donned correctly.

Skipper:

- Send DSC alert on appropriate frequency.
- Follow with voice transmission on appropriate frequency.
- If call for assistance is answered request portable pumps.
- Consider if pumps are going to cope.
- Consider evacuation of non essential crew members.
- Consider 'abandon ship' (go to 'abandon ship').

Mate:

- Muster details to skipper.
- On the instructions from the skipper deploy the liferafts and rescue boat if carried.
- Secure liferafts in safe area on vessel and provide safe means of boarding.
- Keep skipper informed on progress.

Engineer:

- Check compartments for water ingress.
- Monitor bilge alarms.
- Maintain bilge pumps.
- Keep skipper informed of progress of pumps and water levels.
- Advise skipper on stability state of the vessel.
- Advise skipper on possible future of water levels and speed of water ingress.
- Advise skipper if additional pump would make a difference.
- Close all oil and fuel vents to try to prevent pollution.

Collision or Grounding Guidance

The following provides guidance on the actions of the vessel's skipper and crew. These actions are generic and may vary from vessel to vessel and it is recommended that you identify the requirements particular to your vessel through practice drills.

General Requirements of All:

- **Sound Crew Alarm.**
- Crew to muster stations with warm clothing and lifejackets donned correctly.

Skipper:

- Send DSC Alert VHF, MF or HF.
- Transmit voice message on appropriate radio frequency.
- Check with mate on status of crew.
- Check with engineer on status of hull integrity.
- Check with other vessel if collision, on status of hull integrity and injuries to crew.
- Decide if evacuation to other ship is necessary or their crew to your vessel.
- If aground consider deploying stern anchors.
- Try to establish depth of water around the vessel and in which direction lies deeper water.
- Consider deployment of liferafts / rescue boat.
- Consider 'abandon ship' to liferafts (go to 'abandon ship').

Mate:

- Report muster details to skipper.
- Check for injured or trapped crewmen.
- Investigate watertight integrity of your vessel.
- Delegate work party to try to stop ingress of water.
- Keep skipper informed of progress.

Engineer:

- Start bilge pumps and monitor bilge alarms.
- Try to establish what damage has been sustained.
- Assist mate with designated work party to stop any ingress of water.
- Instigate frequent reports to skipper.

Abandon Ship Guidance

The following provides guidance on the actions of the vessel's skipper and crew. These actions are generic and may vary from vessel to vessel and it is recommended that you identify the requirements particular to your vessel through practice drills.

General Requirements of All:

- **Sound Crew Alarm.**
- Crew to muster stations with warm clothing and lifejackets donned correctly.

Skipper:

- Issue order to 'abandon ship' by verbal order to mate and / or over ship's intercom system.
- Crew go to liferaft embarkation points, not returning to cabins to get personal items.
- To ensure all crew are accounted for and have embarked liferafts.
- DSC alert sent and voice transmission to include the fact that crew are abandoning the vessel to liferafts, position, number of crew and any crew with injuries.
- Deploy EPIRB and SART if carried.
- Take charge of liferaft number 1, collect remaining VHF portable radio, log book and remaining equipment in grab bags, consider additional water for injured crewmen.

Mate:

- Account for all crew members and report to skipper.
- Supervise deployment of liferafts, pay due care to weather conditions for boarding.
- Supervise deployment of rescue boat if carried.
- Supervise embarkation of liferafts and account for all crew members boarding rafts as indicated on muster list.
- Tether liferafts (and the rescue boat if carried) together.
- Take command of liferaft number 2 taking additional grab bag, first aid kit, portable VHF radio and flares.

Abandoning the Vessel

If possible survival craft should be boarded dry, but if it is necessary to abandon a vessel by jumping directly into the water, the following procedure should be followed.

Hold lifejacket, block off nose and mouth, keep feet together, check below, avoid obstructions,

jump feet first, look ahead parallel to horizon, attempt to land near and slightly ahead of survival craft. Do not jump into boats or on top of liferafts, the contents could cause you serious injury.

In the Water

A survivor in the water should swim away from a sinking vessel as quickly as possible since when it founders wreckage and debris may surface with great force along with oil.

Get out of the water as soon as possible and remember swimming increases the rate of heat loss, try to avoid any likelihood of hypothermia.

Annex 3 – Muster Lists explained

Muster List

Muster lists are to inform the seaman where to go and what to do in the event of an alarm and one of the first tasks of a new crew member is to find out where he is expected to muster and his duties in the event of an alarm sounding.

The lists should contain the information required to muster the crew together at any given moment. Use of bunk or cabin numbers will enable the crew to establish their muster point and save you time on making new lists when crew leave or join the vessel. Don't forget to allow for additional crew members or other persons carried. Keep muster points to a minimum and in areas easily monitored from the wheel house.

Lists should also clearly state initial duties and responsibilities in the case of an emergency. Crew mustered at the liferafts deck should prepare the liferafts for manual launching when the command has been given. The Chief Engineer will close up engine room and ensure all vents and fans throughout the vessel are shut down.

The pages at the end of this notice contain muster lists for vessels with small or large crew numbers.

Muster lists are in three stages which are:

Stage 1: Muster Station

At the sounding of any alarm the crew will dress in warm clothing suitable to abandon ship and a lifejacket (with light) donned appropriately and proceed to allocated muster stations and remain there until released. Crewmen turning up with T-shirts will not last long in a liferaft in the winter and even summer nights can be cold enough to induce hypothermia.

En-route to their muster stations all crew will close and secure doors, ventilators and undertake their emergency task before arrival at their muster station. Crew allocated a muster station at a liferaft or lifeboat stowage position will prepare the craft for manual deployment, not deploying until ordered to do so by the skipper or ship's officer.

Consideration should be given both to the boarding of the liferafts when deployed and the positioning of boarding ladders may be beneficial.

The actions for Stage 2 will vary depending on the nature of the emergency. Therefore two options for Stage 2 are set out below.

Stage 2: Fire Fighting

Once all the crew have been accounted for and liferafts / lifeboats deployed and readied for use the crew guided by the mate will undertake fire fighting duties as detailed and practiced. At least two crew members should be allocated to breathing apparatus and the safety line signals should be known by all. The skipper will be busy enough transmitting safety or distress traffic on the vessel's radio equipment. Ensure all vents are closed including those which may be within the winch or other deck housing; all vent fans should be stopped.

A further muster of the crew should be undertaken before firing of the CO2, or other fire smothering gas, to ensure that no persons are in the space about to be filled with the gas. Evacuation of the immediate area of the gas bottles should also be considered due to possible leaks from the valves. Gas bottles should be checked to confirm that the gas from all bottles has been deployed, a "tell tale" sign would be "frosting" of the bottom of each bottle.

Stage 2: Man Overboard

Lookouts should be posted and communications agreed; the first aid kit, recovery system and blankets should be available and deployed. A course should be plotted, reversed and Pan Pan or Mayday DSC alert and voice broadcast sent. The crewman who is suspected to have fallen overboard should be identified and the crew questioned as to last sighting of this person.

The vessel should be searched to ensure that the crewman is not still on board.

Stage 3: Abandon Ship

The order is to be given by the skipper or master and relayed to the crew via the mate or ship's officers. Where possible announcements by tannoy should be avoided as it is likely to induce panic. Information should be given on the muster list as to which liferaft or lifeboat that each crew member is assigned.

At the order given by the skipper the crew will prepare to abandon ship, no crew member will be given access to the inside of the vessel but will proceed to their designated liferaft or lifeboat. All lifeboats or liferafts should be launched if possible and manned, not forgetting the EPIRB, additional first aid kit, additional distress flares, portable VHF radios and the SARTs if carried. Some crew members will have been allocated special tasks, deploy EPIRB or take additional flares, first aid kit or SART.

The liferafts should be secured together where possible and remain in the vicinity of the vessel or the last known position which was broadcast with the distress message or DSC information. Consideration should be given to a "grab bag" prepared with "goodies" such as bottled water and tinned high energy chocolate or sugar sweets. Remember survival course training regarding safety and hypothermia.

The following pages are examples of muster lists. You should prepare your own muster lists based on your own vessel layout, equipment and number of crew.

Muster List (Larger Vessels) **Name of Fishing Vessel:**

Crew Member	**Stage 1** Muster at muster station with warm clothing and lifejacket securely fastened	**Stage 2** Form work parties to save the ship and attend to casualties	**Stage 3** Abandon ship on verbal order of the skipper
	Muster Point	**Emergency Parties**	**Abandon Ship**
Skipper	**Muster point 1. Wheel House** Don lifejacket. Inform Coastguard by radio.	**Maintain communications with Coastguards.**	Issue Verbal command Broadcast Mayday. **Deploy EPIRB and portable VHF.** Ensure all crew has embarked to liferafts. **Take charge of liferaft No 1.**
Mate	**Muster point 1. Wheel House** Don lifejacket Account for all crew.	**Take charge of emergency parties.**	Broadcast to crew, **abandon ship to liferafts.** **Deploy first aid kit, flares, SART and take charge of liferaft No 2.**
Bunk 3 **Engineer**	**Muster point 2. Boat Deck** Don lifejacket. Ready liferafts for deployment.	**Under mates direction undertake first aid duties.**	Deploy liferaft to lee side of vessel, secure painter. **Abandon ship to liferaft 1.**
Bunk 4	**Muster point 2. Boat Deck** Don lifejacket. Ready liferafts for deployment.	**Under mates direction.**	Deploy liferaft to lee side of vessel, secure painter. **Abandon ship to liferaft 2.**
Bunk 5	**Muster point 3. Fish Room Hatch** Don lifejacket await further orders.	**Under mates direction.**	**Abandon ship to liferaft 1.**
Bunk 6	**Muster point 3. Fish Room Hatch** Don lifejacket await further orders.	**Under mates direction.**	**Abandon ship to liferaft 2.**
Bunk 7	**Muster point 3. Fish Room Hatch** Don lifejacket await further orders.	**Under mates direction.**	**Abandon ship to liferaft 1.**
Bunk 8	**Muster point 3. Fish Room Hatch** Don lifejacket await further orders.	**Under mates direction.**	**Abandon ship to liferaft 2.**
Bunk 9	**Muster point 3. Fish Room Hatch** Don lifejacket await further orders	**Under mates direction.**	**Abandon ship to liferaft 1.**
Bunk 10	**Muster point 3. Fish Room Hatch** Don lifejacket await further orders.	**Under mates direction.**	**Abandon ship to liferaft 2.**
Bunk 11	**Muster point 3. Fish Room Hatch** Don lifejacket await further orders.	**Under mates direction.**	**Abandon ship to liferaft 1.**
Bunk 12	**Muster point 3. Fish Room Hatch** Don lifejacket await further orders.	**Under mates direction.**	**Abandon ship to liferaft 2.**
Additional Crew	**Muster point 2. Fish Room Hatch** Don lifejacket await further orders.	**Under mates direction.**	**Abandon ship to liferafts as directed by the mate.**

Muster List (Smaller Vessels) **Name of Fishing Vessel:**

Crew Member	**Stage 1** Muster at muster station with warm clothing and lifejacket securely fastened	**Stage 2** Form work parties to save the ship and attend to casualties	**Stage 3** Abandon ship on verbal order of the skipper
	Muster Point	**Emergency Parties**	**Abandon Ship**
Skipper	**Muster point 1. Wheel House** Don lifejacket. Inform Coastguard by radio.	**Maintain communications with Coastguards.**	Issue Verbal command Broadcast Mayday. **Deploy EPIRB and portable VHF.** Ensure all crew has embarked to liferafts. **Take charge of liferaft No 1.**
Mate	**Muster point 1. Wheel House** Don lifejacket account for all crew.	**Take charge of emergency parties.**	Broadcast to crew, **abandon ship to liferafts.** **Deploy first aid kit, flares, SART and take charge of liferaft No 2.**
Bunk 3 Engineer	**Muster point 2. Boat Deck** Don lifejacket. Ready liferafts for deployment.	**Under mates direction undertake first aid duties.**	Deploy liferaft to lee side of vessel, secure painter. **Abandon ship to liferaft 1.**
Bunk 4	**Muster point 2. Boat Deck** Don lifejacket. Ready liferafts for deployment.	**Under mates direction.**	Deploy liferaft to lee side of vessel, secure painter. **Abandon ship to liferaft 2.**
Bunk 5	**Muster point 3. Fish Room Hatch** Don lifejacket await further orders.	**Under mates direction.**	**Abandon ship to liferaft 1.**
Bunk 6	**Muster point 3. Fish Room Hatch** Don lifejacket await further orders.	**Under mates direction.**	**Abandon ship to liferaft 2.**
Additional Crew	**Muster point 2. Fish Room Hatch** Don lifejacket await further orders.	**Under mates direction.**	**Abandon ship to liferafts as directed by the mate.**

Annex C

Annual self-certification declaration form

ANNEX 2

ANNUAL SELF-CERTIFICATION UNDER THE CODE OF SAFE WORKING PRACTICE FOR THE CONSTRUCTION AND USE OF 15 M (LOA) TO LESS THAN 24 M (L) FISHING VESSELS

On satisfactory completion of an annual check on the vessel (required at each anniversary date of expiry of the full term Fishing Vessel Certificate and on change of ownership), the owner should sign the declaration below:

Name of Owner ….....….....

Address of Owner ….....….....

….....….....

Name of Vessel ….....….....

RSS No …..... **Length Overall** ….....

Registered Length …..... **Date Check Completed** ….....

Port letters and number …..... **Mode(s) of Fishing** ….....

DECLARATION

I HEREBY CERTIFY THAT:

i) all fire fighting appliances, life saving appliances and safety equipment that are carried on board the vessel have been suitably maintained and are within date;

ii) the Radio equipment is functioning correctly;

iii) the shipborne navigational equipment, nautical publications and lights, shapes and sound signal appliances, that are required for compliance with the Collision Regulations, are carried on board and are functioning correctly;

iv) the risk assessment remains appropriate to the vessel's fishing method and mode of operation

v) no known alteration, damage or deterioration to the vessel or its equipment has occurred in service that would affect the vessel's compliance with the requirements of the Code or the vessel's stability;

vi) weathertight doors and hatches are functioning correctly; and

vii) crew training and certification are valid.

1st Annual Signature of Owner ..... **Date** .....

2nd Annual Signature of Owner ..... **Date** .....

3rd Annual Signature of Owner ..... **Date** .....

4th Annual Signature of Owner ..... **Date** .....

Notes ***- This form should be retained with the Fishing Vessel Certificate for subsequent inspection***
- A false declaration may render the owner liable to prosecution

Guard Vessel Inspection and Specification Document

APPENDIX B

GUARD VESSEL
INSPECTION AND SPECIFICATION DOCUMENT

Vessel Name:	Reg No:
Client/Project:	Audit Time & Date:
Inspector:	Port of Inspection:

No.		Yes	No	Remarks
1	**Vessel Spec.** (see attached) completed			
2	**FFSC Guard Vessel Operational Procedures Manual on board**			
3	**Guard Vessel Contract and Project Papers on board**			
4	**Company Policy on Substance Abuse -** (Flyer on display)			

5 **Vessel Certification**	Issue Date	Expiry Date	Remarks
Load Line Exemption			
Certificate of Registry			
Fishing Vessel Certificate			
Radio Licence Certificate			
Stability Book			
Guardship Stability			
Risk Assessment Folder			Last reviewed:

6 **Crew Certification**

Name			
Rank			
D.O.B.			
Marine Cert.			
Marine Cert.			
First Aid			
Fire Fighting			
S.Awareness			
Sea Survival			
Medically Fit			
Name			
Rank			
D.O.B.			
Marine Cert.			
Marine Cert.			
First Aid			
Fire Fighting			
S.Awareness			
Sea Survival			
Medically Fit			
Name			
Rank			
D.O.B.			
Marine Cert.			
Marine Cert.			
First Aid			
Fire Fighting			
S.Awareness			
Sea Survival			
Medically Fit			

APPENDIX B

GUARD VESSEL
INSPECTION AND SPECIFICATION DOCUMENT

7 Safety Items

	Quantity	Expiry/Service Date	Remarks
Liferafts (Make)*			
HRUs for Liferafts (Makes)*			
Life Buoys and Smoke Marker			
EPIRB			
HRU for EPIRB (Make)*			
Pyrotechnics (plus Solas Chart No.1)			
Line Throwers			
Immersion / Survival Suits*			
Lifejackets			Lights Expiry Date.
Fire Extinguishers			
Fire Blanket in Galley			
Fire Pump and Hoses			
Bilge Pump			
Bilge Alarm(s)			Tested:
Fixed Fire Fighting System			Type:
Compass (Date last corrected - Devation Card)			
Medical Kit (Pharmacy Receipt Date + Class) *			Category:
Navigation Lights and Sound Signals			Checked/tested:
Waterproof Torch			
VHF radio (fixed and hand held)			
Safety Drills (date last undertaken)			

*** - Servicing Receipt Required**

8 Miscellaneous

	Yes	No	Remarks
Publications/Charts (appropriate electronic and paper charts)			
Almanac			
KIS UKCS (current update)			
FIshSAFE (current update)			
Binoculars			
Camera			
Search Light (hand held - properly charged)			
MARPOL Regulations (knowledge of)			

9 General Condition of Vessel

	Remarks/Observations/Recommendations
Hull	
Decks	
Engine Room/Machinery Space/Steering Compartment	
Galley	
Accommodation	

10 Questions for Fishing Vessels undertaking Guard Duty

When did the vessel last have a MCA inspection and what were the findings? Have there been any recent MCA spot checks – what were the findings? What action was taken on the non conformities?
Answer:

When was the last critical maintenance performed on critical equipment such as main engines/generators?
Answer:

When was the vessel last slipped/major maintenance carried out?
Answer:

10 **Questions for Fishing Vessels undertaking Guard Duty** (continued)

Has the vessel a closed shelter deck? If so what arrangements for removal of entrapped water are there?
Answer:

What is required to maintain watertight integrity of the vessel? Are all escape hatches, watertight doors, deadlights, scuppers etc in good working condition and properly tested?
Answer:

What are the competencies onboard? Please insert appropriate number(s) in boxes below. Is there a dedicated engineer?

Answer:				
		Class 1 Fishing		Class 2 Fishing
		Eng Officer		5 Day Bridge Watch Keeping
		Eng Watch		Navigation/other Watch Keeping
		Dedicated Engineer - answer yes or no.		

What is the safety regime onboard? Does the crew wear Personal Floatation Devices (PFD) and appropriate PPE at all times on deck?
Answer:

What is the Vessel's weather operating criteria for remaining on guard station?
Answer:

Has Skipper noted the 'Guardship Stability - Notice to Skipper' information contained within the Vessel's Guardship Stability Booklet and can he confirm that vessel will be loaded as per the noted conditions? If there is any alteration to the noted conditions, the Skipper must confirm that he is aware of the effect that any devation will have to the Vessel's stability.
Answer:

What is the watch keeping regime offshore? In particular – who mans the bridge, what hours are worked and what competencies are taking a bridge watch?
Answer:

What accidents/incidents/breakdowns have occurred in last 12 months and if any and if appropriate, what corrective / future preventative action was taken?
Answer:

Regular Skipper/ Mate or Engineer on board? Please answer yes/no in appropriate boxes below.

Answer:		
		Regular Skipper
		Regular Mate
		Regular Engineer

Are any of the crew going on the guard trip on prescribed medication?
If so, (a) Is the Crew member / Skipper aware of the effect that this medication may have on Watch Keeping / other Guard Vessel related duties and,
(b) Has the individual an adequate supply of this medication for the scheduled duration of the guard trip?
Answer(s):

APPENDIX B

GUARD VESSEL
INSPECTION AND SPECIFICATION DOCUMENT

Vessel Specification:
Vessel Details:

Name	
Fishing Vessel Number	
Date Built	
Date of any Major Modifications	
Hull	
Length	
Breadth	
Depth	
Load Line Exemption Certificate Valid until	
UKFV Certificate Valid until	
Tonnage (Gross & Net)	
Main Engine Type and hp/kw	
Auxiliary Engine Type and hp/kw	
Cruising Speed	
Fuel Oil Capacity	
Freshwater Capacity	
Lube Oil Capacity	
Hydraulic Oil Capacity	
Maximum Number of days on Location	
Call Sign	
Mobile No.	
Telex No./Email	
Satellite Phone No.	
Skipper	
Owner	
Accommodation (no. of persons & berthing arrangements)	

Electronics

Navigation (Type)	**Communications (Type)**
Radar (1) -	Main Radio (1) -
Radar (2) -	Main Radio (2) -
Plotter (1) -	VHF (1) -
Plotter (2) -	VHF (2) -
DGPS -	Mobile Tel -
Echo Sounder -	Sat Tel -
FishSAFE -	Telex/Email -
AIS -	Navtex -

Additional Comments:

Photographs:

APPENDIX B

GUARD VESSEL
INSPECTION AND SPECIFICATION DOCUMENT

Vessel Name:	Reg No:
Client Project:	Audit Time and Date:
Inspector:	Port of Inspection:

No.	Findings	Close Out Category	Close Out Action	Date

Close Out Category Definitions

P = Prior to sailing
1 = Within 1 month window
3 = Within 3 month window

I declare that the answers provided in relation to the Questions contained in Section 10 of the Guard Vessel Inspection and Specification document are full and accurate and hereby accept the above findings from today's Guard Vessel Inspection. Project Specific Brief provided by SFF Services Representative - Yes/No (delete as applicable).

Skipper's Signature:		Skipper's Name:	

Inspector's Name:		Inspector's Name:	

Checked by - Signature:		Checked by - Name:	

Aquarius documented man overboard recovery procedure

Emergency procedures

This section should include details of your vessels emergency procedures. Even if you have less than 6 people on your vessel, you should complete the checklists provided.

Please add more pages and more procedures if you feel they are appropriate to the safety of your crewmembers.

Man Overboard: Location and Recovery
(State briefly the plan of action to be taken and the equipment to be used)

Our procedure for a man overboard is to keep a visual on the man while the others prepare a ring and line The best location for retrieving a man is on the stern where its the lowest point and we have 2 winches to haul a person on board very easily

Fire
(State briefly the means of raising the alarm and the action that should be taken. If appropriate, state muster points and any special precautions, such as, with the engine room gas smothering system.)

In the event of a fire all crew must be informed and muster behind the wheel-house to assess the situation

Abandon Ship
(State briefly the means of raising the alarm and the actions to be taken.)

Raising the alarm is done by shouting into both cabins for everyone to go to the muster point behind the wheel house

Aquarius log book - Muster and training records

RECORD OF MUSTERS, BOAT DRILLS AND FIRE DRILLS, TRAINING OF CREW AND INSPECTIONS OF LIFE-SAVING APPLIANCES AND FIRE APPLIANCES AS REQUIRED BY THE MERCHANT SHIPPING ACT 1995

Note: The requirements for holding musters including boat drills and fire drills, training instruction, and inspections in fishing vessels are set out in the Fishing Vessels (Safety Provisions) Rules 1975 (as amended). If a muster, etc, is not held as required a statement of the reasons must be recorded.

Date of muster, drill, training, instruction or inspection	Nature of muster, drill, training instruction or inspection (including the condition in which the life saving and fire appliances were found), and a record of the occasions on which the lifeboats were swung out and lowered	Date of entry	Signature of skipper and member of crew
27/9/12	Fire drill Man overboard	27/9	[redacted]
29/1/13.	CREW MUSTERING - TABLE TOP DISCUSSION FILE - ABANDON - MOB.	29-1-13	[redacted]
15/2/13	MAN OVERBOARD / ABANDON SHIP	15/2/13	[redacted]
5/3/13	FIRE DRILL / ABANDON SHIP	5/3/13	[redacted]
18/3/13	MOB / FIRE DRILL	18/3/13	[redacted]
21/3/2013	E/R FIRE DRILL & ABANDON SHIP DRILL	21/8/13	[redacted]

[redacted] 18. 8. 2015 12:39

Risk Assessment - General Working on Deck

How likely that harm may occur (L)		How harmful (H)	
1	Very unlikely	1	Slightly harmful
2	Unlikely	2	Harmful
3	Likely	3	Very harmful

Risk Factors (L x H)

- **1** No action is needed.
- **2** Can be tolerated, but make sure that it does not become worse.
- **3/4** Take action but subject to it being reasonable and sensibly possible.
- **6** Must be attended to, you must reduce the risk.
- **9** Cannot be accepted and work/activity must not continue.

Standard Risk Assessment Form			ALL VESSELS			
Activity or area	**Possible hazards**	**Possible consequences**	**L**	**H**	**LxH**	**Control measures necessary with respect to your vessel**
Boarding and leaving the vessel	Use of ladder or gangway	Falling onto vessel or into water – serious injuries or death	1	1	1	
	Boarding via dinghy	Dinghy overwhelmed or run down – drowning				
	Poor lighting	Failure to see dangers. Injuries or death	1	1	1	
	Obstructions	Trips and falls – minor/serious injuries	2	1	2	
	Unprotected openings	Falls with serious injury	1	1	1	
	Slippery decks	Falls with minor injuries	2	1	2	
	Unsafe handrails	Falls into water, drowning	1	3	3	HANDRAILS SAFE. WHEN B/L VESSEL ALWAYS MAKE ANOTHER CREWMAN
	Access across vessels	Slips, trips and falls – minor/ serious injuries	1	1	1	
Other						
General working on the deck of the vessel	Wet and cold conditions	Crewmembers cold and wet	2	1	2	
	Objects which may be dropped onto feet	Crushed toes, permanent disability	1	3	3	WEAR SAFETY BOOTS.
	Handling fish and fishing gear	Cold hands and damage to hands	3	1	3	WEAR DRY GLOVES.
	Falling overboard	Drowning	2	3	6	WHEN WORKING, WITH FISH M/C WEAR SAFETY HARNE
	Sudden capsize or loss of vessel	Deaths	1	3	3	LIFE JACKETS NOW WHEN WORKING ON DECK.

Assessment Date _____ Review Date _____ Review Date _____

Signature _____ Signature _____ Signature _____

Aquarius LOLER record of inspections

Regular Checklist

	Date 4/10/12	Date	Date	Date
	Comments	Comments	Comments	Comm
Condition of winches	Good			
Condition of haulers	Good			
Condition of warps	Good			
Condition of bridles	Good			
Net drum	Good			
[redacted] and crane	Good			
Bag lift winch and rigging	Good			
Sheaves, rollers, fairleads	Good			
Towing chains and tow point	N/A			
Hydraulic pipes and fittings	Good			
Lifting beckets	Good			
Lazy decky ropes	N/A.			

MAIB Safety Flyer

MAIB
MARINE ACCIDENT INVESTIGATION BRANCH

SAFETY FLYER TO THE FISHING INDUSTRY

Aquarius: Fatal man overboard on 17 August 2015

Narrative

In the early hours of the morning on 17 August 2015, a fisherman on board the 20.8m twin rig trawler *Aquarius* **(Figure 1)** was thrown overboard violently when a rope stopper parted. The vessel had just cleared the port of Aberdeen, Scotland, and its crew were attempting to re-mark the trawl warps when the accident happened. The skipper reacted quickly to stop the vessel, and the crew threw lifebuoys to the casualty. However, the recovery attempt was unsuccessful and, about 10 minutes later, the casualty sank out of view. The skipper then raised the alarm but, despite a search involving numerous vessels and a helicopter, the casualty's body was not recovered.

Figure 1

In order to mark the steel wire warp, the crew had streamed it over the stern. The stopper was used to take the strain of the trailing warp so that the crew could lower its inboard section on to the deck **(Figure 2)**. The MAIB investigation established that:

- The stopper parted under tension because a man-made fibre rope had been used instead of a chain, and a proper stopper hitch had not been applied.

- The casualty was thrown overboard because he had positioned himself within the bight of the slackened trawl warp.

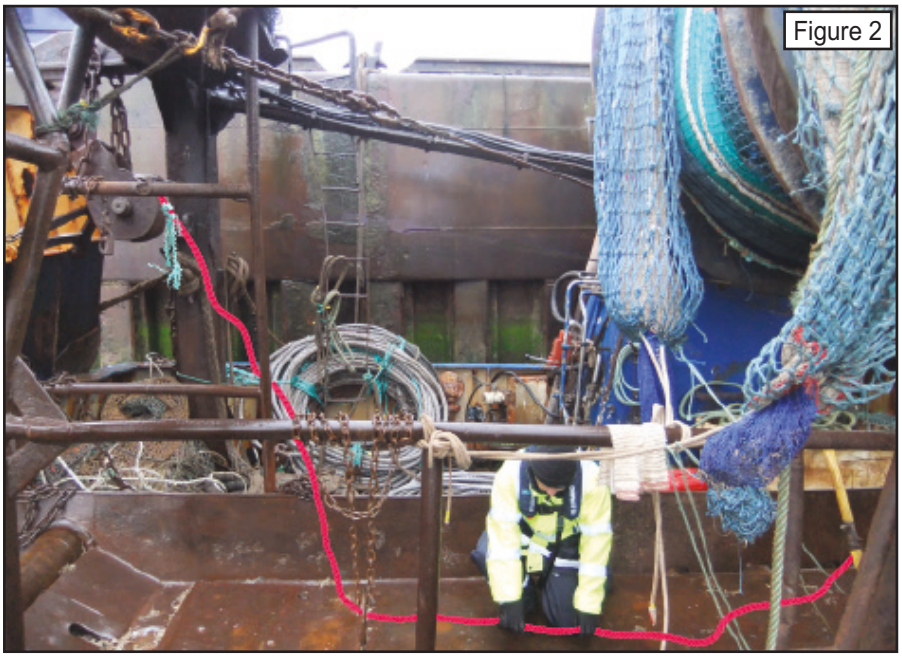
Figure 2

- The method used to mark the trawl warp was unnecessarily hazardous and the outcome was entirely foreseeable.

- The crew were unable to recover the casualty back on board because neither they, nor their vessel had been adequately prepared to deal with such emergency situations.

    - The vessel did not carry a dedicated means of recovering a person from the water.

    - The crew did not conduct periodic emergency drills.

- The casualty sank and his body was not recovered because he was not wearing a lifejacket or other type of personal flotation device while working on the vessel's open deck.

- *Aquarius* had been poorly operated; its safety equipment was not properly maintained, hazardous activities had not been risk assessed and its crew worked prolonged hours and did not receive the minimum amount of rest or leave required by UK legislation.

Safety Lessons

The importance of developing and promoting a strong safety culture within an inherently hazardous industry and ensuring that a vessel and its crew are properly prepared to deal with emergency situations is repeatedly highlighted by MAIB in fishing vessel accident reports. Neither of these safety critical factors was evident on board *Aquarius*; the key lessons to take from this accident are:

- Fishing vessel owners and skippers must make every effort to promote a strong safety culture on board their vessels; hazardous activities should be properly planned and safe systems of work developed. This is particularly important when carrying out non-standard or one-off tasks.

- Crew should always wear lifejackets or personal flotation devices when working on deck, especially when working on fishing gear that is to be towed, shot or recovered.

- The dangers of standing in the bight of a rope, or over a slacked warp should be well understood by all seafarers and, in accordance with basic seamanship good practice, must be avoided at all times.

- Whenever a person falls or is thrown overboard, the alarm should be raised immediately, preferably by use of the vessel's VHF radio digital selective calling function. This will ensure the speediest response from the emergency services and other vessels operating in the area.

- The importance of conducting regular manoverboard recovery cannot be emphasised enough; emergency drills will help ensure that the vessel's safety equipment remains fully operational, is suitable for its intended use and that the crew are familiar with its use.

- Tiredness is a major hazard to all fishermen, and in order to reduce the risk of crew fatigue skippers must ensure that they monitor and record hours of rest.

This flyer and the MAIB's investigation report are posted on our website: www.gov.uk/maib

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